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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,542	12/17/2001	Brian Antoine	45614/PAN/X2/134065	2823

35114 7590 02/25/2005

ALCATEL INTERNETWORKING, INC.
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EXAMINER

BILGRAMI, ASGHAR H

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/023,542

Applicant(s)

ANTOINE ET AL.

Examiner

Asghar Bilgrami

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 December 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/18/02</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shapiro et al (U.S. Pub No. 2002/0161917 A1) and Nataraj et al (U.S. 6,757,779).

3. As per claims 1-4, 10, 11, 14 & 20 Shapiro disclosed a method of routing signals in a communication network (page.1, paragraph 10). However Shapiro did not explicitly disclose, comparing destination address of a received signal to one or more known destination addresses; determining a destination for said received signal in accordance with a source identifier in said received signal when the destination address of said received signal does not match any one of said known destination addresses; and determining route for said received, signal in accordance with a dynamic routing protocol.

In the same field of endeavor Nataraj disclosed determining a destination for said received signal in accordance with a source identifier in said received signal when the destination address of said received signal does not match any one of said known destination addresses; and determining route for said received, signal in accordance with a dynamic routing protocol (col.1, lines 32-52).

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At the time the invention was made it would have been obvious to one in the ordinary skill in the art to incorporate a signal having a source identifier and parameters as taught by Nataraj as one of the criteria to the routing device as taught by Shapiro in order to route the network traffic in an efficient manner and in as a result increasing the robustness and efficiency of a network.

4. As per claim 5 Shapiro disclosed the router according to claim 4 wherein the plurality of traffic parameters comprises a source address and a destination address (Nataraj, col.1, lines 63-67).

5. As per claims 6, 8, 15 & 17 Shapiro disclosed the router according to claim 5 further comprising a source address look-up table having stored source address and an address of a related Internet service provider and wherein the route selection is made in accordance with the result of a comparison of source address in the packet with stored source address in the source address look-up table (Shapiro, paragraph 9).

6. As per claim 7 Shapiro disclosed the router according to claim 6 wherein the source address look-up table comprises a hardware look-up table (Shapiro, paragraph 44).

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7. As per claims 9 & 16 Shapiro disclosed the method of claim 15 wherein the step of storing known destination addresses in a destination address look-up table comprises storing known destination addresses in a hardware look-up table (Shapiro, paragraphs.44, 49, 50).

8. As per claims 12 & 18 Shapiro disclosed the method of claim 10 further comprising storing an ISP for one or more source identifiers, and wherein the destination may be determined in accordance with said stored ISPs (Nataraj, col.1, lines 32-51).

9. As per claims 13 & 19 Shapiro disclosed the method of claim 10 wherein the step of forwarding the received signal to said destination in accordance with a dynamic routing protocol comprises forwarding said received signal in accordance with an exterior gateway protocol (Shapiro, paragraphs.5 & 13).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 571-272-3907. The examiner can normally be reached on M-F, 8:00-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Asghar Bilgrami
Examiner
Art Unit 2143

AB

Will C. Vang
Primary Examiner
Art Unit 2143
William C. Vaughn, Jr.